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Filing date: **08/16/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91199905
Party	Defendant IMJ Marketing Inc.
Correspondence Address	JEFFREY DWECK THE LAW FIRM OF JEFFREY S DWECK PC 100 W 33RD ST STE 1017 NEW YORK, NY 10001-2914 UNITED STATES jeffrey@dweckny.com
Submission	Answer
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Date	08/16/2011
Attachments	Cozy Opposition Answer.pdf (2 pages)(57248 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

DALLAS MANUFACTURING COMPANY, INC.,

Opposition No. 91199905

Opposer,

-vs.-

IMJ MARKETING INC.,

Applicant.

ANSWER TO NOTICE OF OPPOSITION
Application Serial No. 85/105,221

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, Virginia 22313-1451

Applicant answers the Notice of Opposition as follows:

1. Lacks sufficient knowledge or information to respond to the allegations set forth in paragraph 1 and, therefore, denies same.
2. Lacks sufficient knowledge or information to respond to the allegations set forth in paragraph 2 and, therefore, denies same.
3. Lacks sufficient knowledge or information to respond to the allegations set forth in paragraph 3 and, therefore, denies same.
4. Lacks sufficient knowledge or information to respond to the allegations set forth in paragraph 4 and, therefore, denies same.
5. Admits the factual allegations set forth in paragraph 5.
6. Admits the factual allegations set forth in paragraph 6.
7. Lacks sufficient knowledge or information to respond to the allegations set forth in paragraph 7 and, therefore, denies same.

8. Denies the allegations set forth in paragraph 8.
9. Denies the allegations set forth in paragraph 9.
10. Denies the allegations set forth in paragraph 10.
11. Denies the allegations set forth in paragraph 11.
12. Denies the allegations set forth in paragraph 12.

AFFIRMATIVE DEFENSES

13. Opposer will not be damaged by registration of Applicant's mark.
14. Opposer's claims are barred by laches.
15. Opposer's claims are barred by acquiescence.
16. Opposer fails to state a claim upon which relief can be granted.
17. Opposer's mark is not protectable as sought in the Complaint.

WHEREFORE, Opposer prays that the Notice of Opposition be denied.

Dated: August 15, 2011
New York, New York

THE LAW FIRM OF JEFFREY S. DWECK, P.C.

A handwritten signature in black ink, appearing to read 'Jeffrey S. Dweck', is written over a horizontal line.

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